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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
 Washington, D.C. 20554

In the Matter of) MM Docket No. _____
) RM- _____
 Amendment of Section 73.202(b))
 (Table of Allotments))
 FM Broadcast Stations,)
 (**Brewster, Massachusetts**))

TO: Chief, Mass Media Bureau
 Policy and Rules Division
 Allocations Branch

PETITION FOR RULE MAKING

Brewster Broadcasting Company ("BBC") by and through counsel, and pursuant to ¶1.420 of the Commission's Rules (47 C.F.R. ¶1.420(d)), hereby submits its "Petition For Rulemaking" seeking the allotment of new FM Channel 232A to **Brewster, Massachusetts**. In support thereof, the following is shown.

1. The community of Brewster, Massachusetts, is a Census Designated Place in Barnstable County, Massachusetts, with a 1990 population of 1,818. Brewster is an historic sea captains' town located on the bay side of Cape Cod. The "town" of Brewster, which contains the community of Brewster, was incorporated in 1803.¹ Brewster has two nationally-acclaimed 18-hole golf courses among other recreation sites, over 15 bed and breakfast inns and over 30 art galleries, craft shops and antique shops. Brewster is the site of its own elementary school. There is a library operated by the Brewster Ladies'

¹The Town of Brewster is incorporated with a population of 8,440 and is governed by a board of selectmen. The source of the information reported herein is the Massachusetts Department of Housing and Community Development Worldwide Web page.

Library Association. Brewster is the site of the Cape Cod Museum of Natural History and the New England Fire and History Museum. Brewster has a recreation commission. Brewster is the site of Brewster Manor Nursing and Retirement Home. Brewster has no radio or television stations licensed to it. The public interest would be served by a grant of this proposal, for it would bring a first local service to Brewster. Brewster is not in an urbanized area.

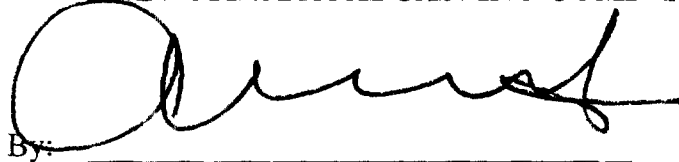
2. Attached hereto, as Exhibit 1, is a Technical Exhibit in which it is demonstrated that Channel 232A can be allotted to Brewster, Massachusetts, in accordance with the Commission's spacing constraints and city grade coverage requirements at a reference point of: **N. Lat. 41° 46' 31" and W. Long. 70° 00' 38"**. The Technical Exhibit explains the relationship to WXTK, West Yarmouth, Massachusetts, which has been ordered to relocate its operating channel from 235B to 236B, and which holds a construction permit (File No. BPH-960527IE) authorizing the relocation to Channel 236B. When WXTK begins operation on Channel 236B, WXTK will no longer be a constraint to the allotment of Channel 232A to Brewster.

3. Should Channel 232A be allotted to Brewster, Massachusetts, BBC will file an application for a construction permit for a new FM station on Channel 232A and, upon grant of the application, will construct the station.

4. Accordingly, it is respectfully requested that a rulemaking proceeding be initiated to allot Channel 232A to Brewster, Massachusetts.

Respectfully submitted,

BREWSTER BROADCASTING COMPANY

By: 

Gary S. Smithwick
Its Attorney

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February 24, 1998

**Proposed Rulemaking
Brewster Broadcasting**

232A – 94.3 mHz

Brewster, Massachusetts

February, 1998

This technical exhibit supports the request of Brewster Broadcasting Company (hereinafter referred to as "BBC") to allot Channel 232A to Brewster, Massachusetts as the community's first licensed station.

The proposed allotment reference of North Latitude 41° 46' 31" and West Longitude 70° 00' 38" meets all §73.207 allocation requirements. The allocation study is found as Exhibit #2. Attention is called to the relationship to WXTK, West Yarmouth, Massachusetts. WXTK has requested and has been ordered to relocate from 235B to Channel 236B. WXTK currently has Construction Permit BPH9605271E authorizing the move. When WXTK commences operation on Channel 236B, being greater than three channels removed from the proposed frequency of 232A, there is no longer a channel relationship to the proposed Brewster frequency.

Exhibit #1 indicates that the class maximum city grade contour covers Brewster, Massachusetts 100%.

The proposed allocation reference is the site of an existing multi-user tower. The full 100 meters height above average terrain could be obtained using this structure. No site map or site detail is being provided since the tower is constructed and in use.

Brewster, Massachusetts is a census designated place in Barnstable County. Brewster has a population of 1,818 listed in the 1990 census. There are, however, 85,027 persons in the proposed 60 dBu contour. Brewster is not in an urbanized area.

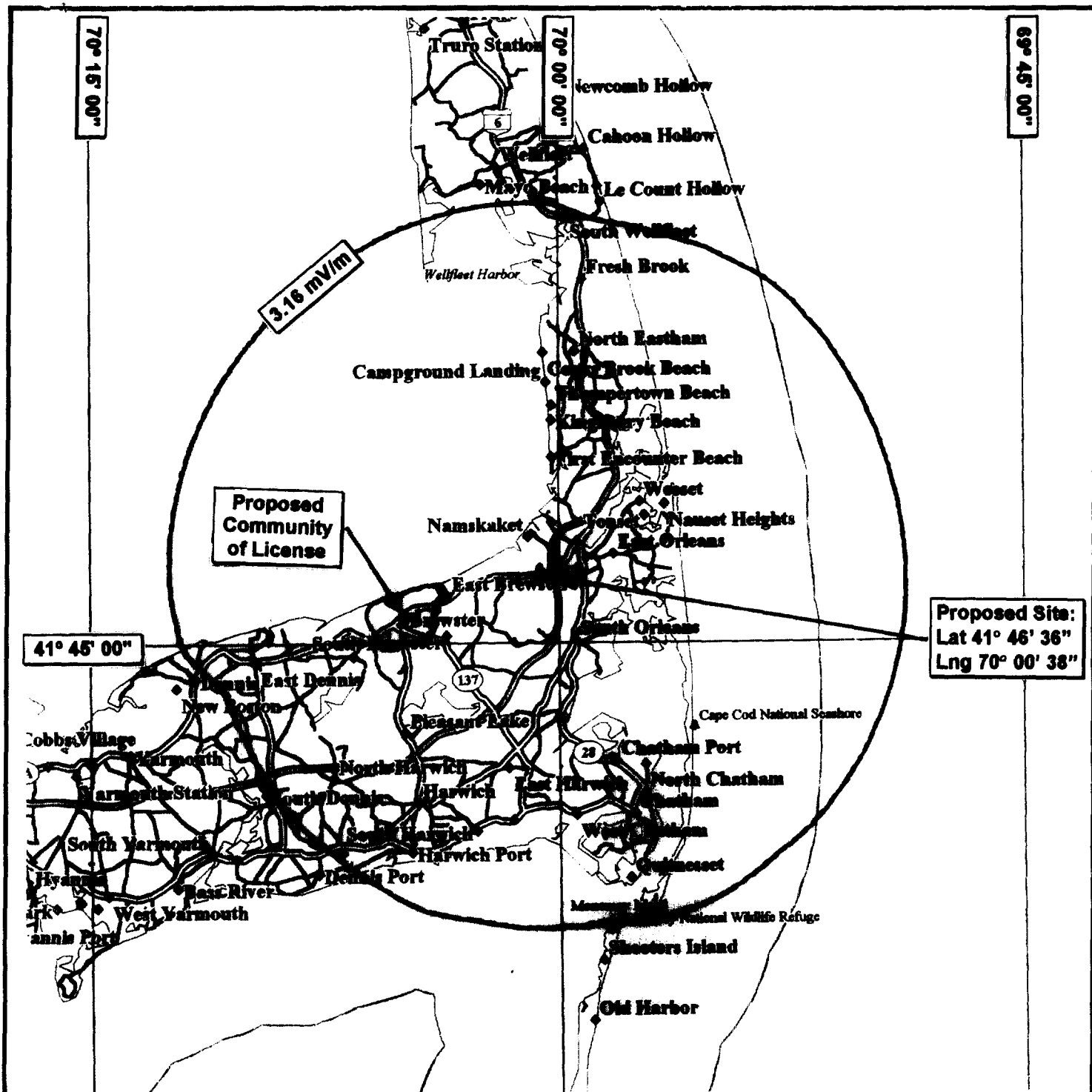
If allotted BCC will pursue the obtaining of a construction permit for the facility.

All information contained herein is thought to be true and correct to the
knowledge of the undersigned.



Clifton G. Moor
Bromo Communications, Inc.

February 10, 1998



Proposed 70 dBu Contour

Map is State of Massachusetts
Scale 1:250,000
©1993 DeLorme Mapping

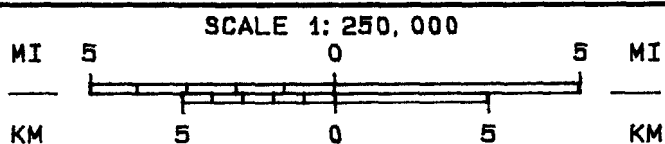


EXHIBIT #1

Proposed Rule Making
New FM Allotment
Channel 232A - 94.3 mHz
6 KW ERP - 100 m HAAT
Brewster, Massachusetts
February 1998

BROMO BROADCAST
TECHNICAL CONSULTANTS
COMMUNICATIONS

Searching at Allocation Reference

REFERENCE	CLASS A	DISPLAY DATES
41 46 36 N		DATA 11-15-97
70 00 38 W	Current rules spacings	SEARCH 11-16-19
----- CHANNEL 232 - 94.3 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WXTK	235B	West Yarmouth	MA	229.9	24.40	69.0	-44.60 *
LI CN	41 38 07	70 14 06	50.000 kW	75M	15.2	42.9	
Boch Broadcasting Ltd Partner					BMLH920121KD		
>*To change to 236B per one-step application 960702IE							
WHJY.A	231B	Providence	RI	272.9	113.06	113.0	0.06 <
AP CN	41 49 40	71 22 09	50.000 kW	139M	70.3	70.2	
WHJY, Inc.					BPH970909ID		
WHJY	231B	Providence	RI	272.9	113.06	113.0	0.06 <
LI CN	41 49 40	71 22 09	50.000 kW	134M	70.3	70.2	
Liberty Broadcasting Group, I					BLH7459		
WJMN	233B	Boston	MA	300.4	116.51	113.0	3.51
LI CN	42 18 27	71 13 27	11.500 kW	321M	72.4	70.2	
Ardman Broadcasting Corp. of					BLH850408KT		
WEGQ	229B	Lawrence	MA	316.1	116.42	69.0	47.42
LI CN	42 31 57	70 59 11	34.000 kW	179M	72.4	42.9	
American Radio Systems Licens					BLH960215KC		

\$73.207 Allocation Study

WXTK, West Yarmouth, MA has been permitted to relocate to channel 256B per application 960702IE thus eliminating any \$73.207 shortage to this proposal.

EXHIBIT #2

Proposed Rule Making
New FM Allotment
Channel 232A - 94.3 MHz
6 KW ERP - 100 m HAAT
Brewster, Massachusetts
 February 1998

BROMO BROADCAST
 COMMUNICATIONS TECHNICAL CONSULTANTS